

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:** ZV/DOA/CAW-2022-00485  
**Application Name:** Southern Blvd Industrial Center  
**Control No./Name:** 2005-00593 (Southern Blvd Industrial Center)  
**Applicant:** Duke Realty Land LLC  
**Owners:** Duke Realty Land LLC  
**Agent:** Schmidt Nichols - Josh Nichols  
**Telephone No.:** (561) 684-6141  
**Project Manager:** Donna Adelsperger, Senior Site Planner

**TITLE:** a Type 2 Variance **REQUEST:** to reduce the width of the Type 3 Incompatibility Buffer along the east property line adjacent to residential use on 6.98-acres

**TITLE:** a Development Order Amendment **REQUEST:** to reconfigure the site plan to add square footage, add a use, add access points; and to modify/or delete Conditions of Approval on 6.98-acres

**TITLE:** a Class A Conditional Use **REQUEST:** to exceed 100,000 square feet in the Industrial FLU designation on 6.98-acres

**TITLE:** a Type 2 Waiver **REQUEST:** to allow 24-hour operational hours within 250-feet of a residential use on 6.98-acres

**APPLICATION SUMMARY:** The proposed requests are for the 6.98-acres Southern Boulevard Industrial Center Development. The site was last approved by the Board of County Commissioners (BCC) on June 22, 2006 to allow an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ).

The request will modify the Site Plan and Conditions of Approval to add one Warehouse building exceeding 100,000 sq. ft. within an Industrial FLU designation parcel thought a Class A requested use. In addition, the Applicant is also requesting a; Type 2 Variances to reduce the Landscape Buffer width, eliminate the required 6' height wall and required planting material along the east property line and, a Type 2 Waiver to allow for 24-hour operation within 250-feet a parcel of land with a residential FLU designation or use.

The Preliminary Site Plan (PSP) indicates one structure that consists of 91,464 sq ft of Warehouse and 11,305 sq ft of Accessory Office for a total of 102,769 sq ft, 91 Parking spaces, 31 Loading spaces and one access proposed from Southern Boulevard and two accesses from Wallis Road.

Following certification, Staff determined that the Type 2 Variances and Waiver were not required as the use adjacent to the east is not residential use, and thus incompatibility buffer and hours of operation restrictions are in compliance with Art. 7 and Art 5.

**SITE DATA:**

Location:	North side of Southern Blvd, South side of Wallis Road, about a half mile west of Jog Road
Property Control Number(s)	00-42-43-27-05-005-1760
Future Land Use Designation:	Commercial High, with an underlying IND (CH/IND)
Zoning District:	Light Industrial District (IL)
Total Acreage:	6.98 acres
Tier:	Urban/Suburban
Overlay District:	Palm Beach International Airport Overlay
Neighborhood Plan:	Haverhill Neighborhood Plan
CCRT Area:	N/A
Municipalities within 1 Mile	Greenacres
Future Annexation Area	Haverhill, West Palm Beach
BCC District	District 2, Commissioner Greg K. Weiss

**RECOMMENDATION:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received no contact from the public regarding this application.

**PROJECT HISTORY:** The site was the subject of a prior Official Zoning Map Amendment from Agricultural Residential (AR) to Light Industrial (IL) with a Conditional Overlay Zone (COZ) on June 22, 2006.



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**FINDINGS - Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:**

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

The Development Order Amendment and Class A Conditional Use requests are analyzed together.

**a. Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* The proposed use and amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Intensity:* The maximum FAR for non-residential projects with an Industrial (IND) future land use designation, in the Urban Suburban Tier, is 0.45 - 0.85. FLUE Table 2.2-e.1 note 9, allows Industrial uses to be approved for up to 0.85 FAR in the Urban Suburban Tier. The maximum allowable intensity is 258,575.95 sq. ft. (304,207 surveyed sq. ft. x 0.85 FAR = 258,575.95 sq. ft. maximum). The request for a total of 102,769 sq. ft. equates to a FAR of approximately 0.34 (102,769 sq. ft. / 304,207 surveyed sq. ft. or 6.98 acres = 0.337 or 0.34), and is therefore below the maximum FAR allowed on the site.

○ *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The request is located within and is consistent with the Comprehensive Plan's PBIA Approach Path Overlay, the 1995 Jog Road Corridor Study, and the 1992 Haverhill Area Neighborhood Plan. The analysis for each planning area is provided below:

- *PBIA Approach Path Conversion Area Overlay (PBIAO)* - The subject site is located in an area eligible to convert to industrial uses through a rezoning per FLUE Policy 1.2.4-b. As the subject site currently has a Future Land Use (FLU) designation of Commercial High, with an underlying Industrial (CH/IND), the proposed industrial use is consistent with the Overlay.
- *Jog Road Corridor Study (JRCS)* - The site is located within Sub-area II of the JRCS, which recognized the predominate Commercial and Industrial future land use designations and mix of nonresidential land uses in the sub-area. The Study recommended retaining the FLUA designations for parcels along Southern Boulevard and Jog Road (Page 48, JRCS).
- *Haverhill Area Neighborhood Plan (HANP)* - No changes were recommended to the existing CH/IND future land use designation on or around the subject site by the Haverhill Neighborhood Plan (Map, Page 52a, Haverhill Neighborhood Plan). No comments have been received from the Town of Haverhill to date.

**b. Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

○ *Property Development Regulations:* The existing lot and proposed development are located within the IL Zoning District and will meet all the PDR's For Lot Dimension, Building Coverage and Setbacks as required by Article 3.D.1.A of the ULDC. The proposed Warehouse will meet or exceed the setbacks based on the proposed height of 38-feet; and will not exceed the building coverage. With the increase of three feet in height the setbacks from all property lines must increase by the same amount. The Applicant has indicated that the front and rear setbacks have been increased by three feet. The side interior setback already exceeds the setback by over sixty feet from the east and west property lines.

○ *Development Order Amendment to a Standard Zoning District with a Conditional Overlay Zone (COZ):* The Applicant has requested to modify the original approval, which was subject to a COZ. The applicant is proposing the modification or deletion of the following Conditions: two Architectural, one Sign, and one Environmental (ERM). The original approval indicated four buildings totaling 87,800 sq ft. The provided Preliminary Site Plan is proposing one 102,769 sq ft building 38 feet in height 3 feet higher than the previous 35 feet high. This change is in response to the industry standards for warehouse. The ERM preserve has declined in quality due ecological damage associated with invasive species therefore the condition no longer applies. The Applicant has demonstrated that the amendment is necessary in order to redesign the proposed development as shown in the PSP. Staff has determined that there is change of circumstances and site conditions to make is necessary to amend the COZ.



- *Overlays:* The parcel is located within the boundaries of the Palm Beach International Airport (PBIA) Approach Path Conversion Area Overlay, the Haverhill Area Neighborhood Plan (HANP), and the Jog Road Corridor Study (JRCS). Based on previous approvals, the proposal is consistent with each of the overlays.

- *Warehouse Use Criteria:* The requested Warehouse use would be a permitted by right use in the IL zoning district pursuant to ULDC Table 4.B.5.A, Industrial Use Matrix, however the proposed project exceeds the maximum 100,000 sq. ft. threshold for properties with an Industrial Future Land Use designation, as established in ULDC Table 4.A.9.B, Thresholds for Projects Requiring Board of County Commission Approval. The size of this development would typically require it to be rezoned to the Multiple Use Planned Development (MUPD) Zoning District. However, the Applicant is only proposing Warehouse use with accessory office, and therefore can be approved as a single use and Class A Conditional Use. . The Preliminary Site Plan indicates total of 102,769 sq ft which consists of, 91,464 sq ft of warehouse and 11,305 sq ft of accessory office. Article 4 regulates Accessory offices to a maximum of 30 percent of the bay. Should the Property Owner desire other industrial uses, in addition to Warehouse, they will be required to rezone to the MUPD zoning District. Staff will discussed with the Applicant that a Condition of Approval will be included during the Final Site Plan approval to limit the use to Warehouse only, however in the event that the ULDC is amended, in the future to allow multiple uses without rezoning to an MUPD, they can modify the Site Plan administratively. Staff has included a Condition of Approval for the Applicant to remove the Type 2 Variance, the Type 2 Waiver Charts, and correct the buffer type along the east property line prior to Final DRO approval.

- *Architectural Review:* The Applicant has submitted elevations for review of the proposed building. Staff has found them to be consistent with Article 5.C Supplementary Use Standards. (Figure 8).

In addition he Applicant is requesting to delete two prior Architectural Conditions of Approval related to integration of the gutters and downspouts and the overall height. Staff proposed the condition for the integration of the gutters and downspouts into the architecture and to confirm that the painting of these did not constitute architectural integration. Since this approval was granted this requirement has been codified in Article 5 of the ULDC. In order to build the proposed structure deletion of the height limitation is required. The proposed structure meets the required setback for the increase in height. Staff has no objection to the deletion of these Architectural Conditions of Approval.

- *Parking:* Article 6 requires one space per 2,000 sq ft of warehouse use and one space per 250 sq ft of accessory office, this would require forty-six (46) parking spaces for the warehouse and forty-five (45) spaces for the accessory office. The PSP indicates a total of 91 spaces. The use requires three loading spaces and the PSP shows 31 spaces.

- *Landscape/Buffering:* The proposed Development Order Amendment is consistent with Article 7 Landscaping, specifically the following: A 15 ft. R-O-W buffer will be provided along Wallis Road and a 20-foot R-O-W buffer has been provided along Southern Blvd. Following certification, Staff has determined that the Type 2 Variance for the buffer along the northern portion of the east property line is not required as the use is not residential, the site plan shall be revised at time of Final DRO to show the buffer as an 8-foot compatible buffer along both the east and west property lines. In addition to Landscape Buffers, Foundation Plantings have been provided along the west, north, and south sides of the structure, adjacent to Southern Blvd and Wallis Road. The foundation planting on the north and south side of the building provides additional landscaping along Southern Blvd and Wallis Road.

- *Signs:* The proposed Development Order Amendment is consistent with Article 8 Signage. The Applicant has requested deletion of the Signage Condition 1, however Staff is not in support of this request. If the project were developed as a PDD, then according to Article 8 Table 8.G.2.A, the sign height would be limited to 10 feet in height. The Applicant has not provided sufficient justification for deletion of this condition to warrant increasing the height or the sign face area. Staff also recommends a Condition of Approval regarding the proposed signs to be located on Wallis Road to limit the sign face area to 80-sq ft per façade, to be consistent with what is conditioned for the Southern Boulevard frontage. See Exhibit C-1 Condition of Approval Signs 1 and 2.

**c. Compatibility with Surrounding Uses –** *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

Under the prior application for the request to rezone the parcel, it was determined to be compatible with the surrounding uses. The proposed amendment to the site plan to increase the square footage and building height along with the condition modifications have no impact on the compatibility. The properties to the north and west support commercial and industrial uses; the two parcels to the east support road drainage and a residential structure that is being used for industrial purposes. The proposed warehouse use is still compatible with surrounding uses.



- d. Design Minimizes Adverse Impact** – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed use of the project is compatible with the established character of the surrounding industrial area. The 15 ft. R-O-W buffer and 20 ft. R-O-W buffers along the north and south property line of the site, will provide screening along Southern Blvd and Wallis Road while foundation planting on all sides of the building will provide additional visual buffering within the site. The proposed Warehouse Facility use is not only compatible with the surrounding uses, but the buffering and landscape screening conceals all site elements to eliminate adverse impacts. The Applicant has shown the truck traffic to be split from the passenger vehicles to allow for a more efficient movement of vehicles through the site.

- e. Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

○ *Vegetation Protection:* The site is heavily vegetated with a non-native species (e.g., *Acacia auriculiformis*, *Aleurites moluccanu*, *Delonix regia*), and native upland species (e.g., *Pinus elliottii* var. *densa*, *Ficus aurea*, *Quercus Virginiana*, *Quercus laurifolia* and *Sabal palmetto*). Under a prior approval (2006), a Tree Preservation Area was required. However, since the aforementioned approval, the areas of native vegetation have declined in quality given the ecological damage associated with invasive species. Under the current assessment, a Tree Preservation Area will not be required. Native species are being protected in the form of relocating the native material (*Ficus aurea*, *Quercus virginiana*, *Sabal palmetto*) to an appropriate area on the site and some species being preserved in place. There will be 507 mitigation credits required as a result of this application.

○ *Wellfield Protection Zone:* This property is not located within a Wellfield Protection Zone.

○ *Irrigation Conservation Concerns and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

The Applicant has requested that the Condition of Approval Environmental 1 be deleted. Staff has no objection to the deletion as the area shown on the prior approval (2006), as a Tree Preservation Area has declined in quality given the ecological damage associated with invasive species. Under the current assessment, a Tree Preservation Area will not be required.

- f. Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The proposed amendment does not change the already approved warehouse use on the Site and the development is still consistent with industrial uses surrounding the Land. The previously approved Final Site Plan indicates a total of four Warehouse Buildings with Accessory Office for a total of 87,800 sq ft. The prior rezoning approval determined that the proposed development at that time resulted in a logical, orderly and timely development pattern. After reviewing the proposed plan Staff has determine that the consolidation of the warehouse use into one structure and increase in square footage to 102,769 sq ft does not change the determination regarding the Development Pattern for the existing Zoning District.

- g. Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

**ENGINEERING COMMENTS:**

The proposed Warehouse development is expected to generate 161 net daily trips, 15 net AM peak hour trips, and 18 net PM peak hour trips. The build out is expected to happen by 2026.

The trips from the development will have insignificant traffic impacts within the radius of influence, as per the definition of Palm Beach County Traffic Performance Standards. Though it's not required by the code, a westbound right turn lane on Southern Blvd at the project's driveway will be constructed by the Property Owner.

**PALM BEACH COUNTY HEALTH DEPARTMENT:** This project has met the Florida Department of Health's requirements.



This is an aerial map of a portion of the City of Marietta, Georgia. The map displays various land parcels outlined in yellow and green. Several parcels are highlighted with red outlines and labeled with codes: PBC23, PBC34, PBC32, and GA94. The map includes labels for roads such as Belvedere Rd, Southern Blvd, and Subog Rd. A green line runs diagonally across the map, possibly representing a proposed or existing boundary or easement. The map also shows a grid of streets and various land use designations.

**PARKS AND RECREATION:** This is a non-residential project, therefore the Parks and Recreation Department ULDC standards do not apply.

- The Applicant has proposed to increase the square footage for the warehouse use and consolidate the use within one structure. The increase in square footage for the proposed development for a single use in excess of 100,000 sq ft is the changed condition that requires the Class A Conditional Use. This consolidation into one structure along with the requested modifications to the Conditions of Approval, necessitates the need for the Development Order Amendment. Without the proposed modifications to the ERM and Architectural Conditions the site as proposed could not be constructed and the Class A Conditional Use.

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Southern Boulevard Industrial



## CONDITIONS OF APPROVAL

### EXHIBIT C-1 Development Order Amendment- Conditional Overlay Zone

#### ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

Development of the site is limited to the site design as approved by the Board of County Commissioners. The approved site plan is dated March 28, 2006. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

#### Is hereby amended to read:

The approved Preliminary Site Plan is dated October 13, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

2. Prior to approval by the Development Review Officer (DRO), the site plan shall be revised to indicate all the existing drainage and utility easements. The site plan shall also indicate the easements to be retained or abandoned. All dry retention area which conflict with the location of a proposed structure or landscape buffer shall be abandoned prior to the issuance of a building permit. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ALL PETITIONS Condition 2 of Resolution R-2006-1196, Control No.2005-00593)

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2006-1196 (Control 2005-00593, have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

#### ARCHITECTURAL REVIEW

1. Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for all buildings shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

#### Is hereby amended to read:

At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations shall be submitted for final review and approval by the Zoning Division and shall be generally consistent with the Architectural Elevations dated July 25, 2022. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

2. Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

Design of gutters and downspouts shall be integrated into the architectural design of each building. Painting of the gutters and downspouts shall not constitute architectural integration. (DRO: ARCHITECTURAL REVIEW - Zoning)

#### Is hereby deleted. [REASON: ULDC requirement]

3. Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

The maximum height of all buildings shall be thirty-five (35) feet. All heights shall be measured from finished grade to the highest point of the building, including air conditioning, mechanical equipment, satellite dishes and architectural features. (DRO: ZONING - Zoning)



**Is hereby deleted.** [REASON: No longer applicable, as the Applicant is proposing a structure greater in height.]

## **ENGINEERING**

1. Previous ENGINEERING Condition 1 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

No Building Permits for the site may be issued after June 22, 2009. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

**Is hereby deleted.** [REASON: Superseded by new condition]

2. The property owner shall convey to Palm Beach County Land Development Division by warranty deed for Wallis Road 30 feet from centerline. This right of way shall be conveyed prior to the issuance of the first building permit and shall be free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Grantor further warrants that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate as determined by the County Engineer provisions for Expanded Intersection Details and "Corner Clips." (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 2 of Resolution R-2006-1196, Control No.2005-00593)

3. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Wallis Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 3 of Resolution R-2006-1196, Control No.2005-00593)

4. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

5. The Property Owner shall construct right turn lane east approach on Southern Blvd at project entrance.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

6. The Property Owner shall reconstruct Wallis Road within the property frontage plus 100 feet and tapers to the existing section on each side of the property to be consistent with Palm Beach County standards for a local commercial street. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. If approved by the County Engineer, the Property Owner may



submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

7. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required platting or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMT/PLAT: ENGINEERING - Engineering)

8. Property Owner shall construct a minimum 5 foot wide concrete sidewalk along the south side of Wallis Road within the property frontage. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. The sidewalk shall be completed prior to the issuance of the first certificate of occupancy. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (BLDGPMT/CO: MONITORING - Engineering)

9. Prior to the issuance of the first building permit, the Property Owner shall provide Palm Beach County Engineering a sidewalk easement for the locations where the public sidewalk encroaches into the private property. (BLDGPMT: MONITORING - Engineering)

## **ENVIRONMENTAL**

1. Previous ENVIRONMENTAL Condition 1 of Resolution R-2006-1196, Control No.2005-00593, which currently states:

All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. No grade changes, or the toe of proposed grade changes, shall occur within the dripline of existing native vegetation depicted to remain. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

**Is hereby deleted.** [REASON: Under the current assessment, a Tree Preservation Area will not be required.]

## **HEALTH**

1. Property owners and operators of facilities generating industrial, hazardous or toxic waste shall not deposit or cause to be deposited any such waste into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection, the Palm Beach County Health Department, and the agency responsible for sewage works are provided and used. (ONGOING: CODE ENF - Health Department) (Previous HEALTH Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

## **ZONING - LANDSCAPING-STANDARDS**

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the conditions of approval as contained herein. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

2. A minimum of fifty (50) percent of all trees to be planted in the landscape buffers shall meet the following minimum standards at installation:

- a. tree height: Fourteen (14) feet;
- b. trunk diameter: three and one-half (3.5) inches measured at four and one-half (4.5) feet above grade;
- c. canopy diameter: Seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length; and,
- d. credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2006-1196, Control No.2005-00593)

3. All palms required to be planted on the property by this approval shall meet the following minimum standards at installation:



- a. palm heights: twelve (12) feet clear trunk;
- b. clusters: staggered heights twelve (12) to eighteen (18) feet; and,
- c. credit may be given for existing or relocated palms provided they meet current ULDC requirements. (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2006-1196, Control No.2005-00593)

4. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location. (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2006-1196, Control No.2005-00593)

5. Field adjustment of berm, plant material, and wall locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-2006-1196, Control No.2005-00593)

**ZONING - LANDSCAPING ALONG THE NORTH PROPERTY LINES (ABUTTING WALLIS ROAD)**

6. In addition to code requirements, the landscape buffers along the north property lines shall be upgraded to include:

a minimum of one (1) palm or pine tree for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters.

(BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

**ZONING - LANDSCAPING ALONG THE SOUTH PROPERTY LINES (ABUTTING SOUTHERN BOULEVARD)**

7. In addition to code requirements, the landscape buffers along the south property line shall be upgraded to include:

a. a two (2) to three (3) foot high undulating berm with an average height of two and one-half (2.5) feet; and

b. one (1) palm or pine tree for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters.

(BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

**LIGHTING**

1. All outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

2. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2006-1196, Control No.2005-00593)

**MASS TRANSIT**

1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the Master Plan and/or site plan prior to final approval of the Development Review Officer (DRO). The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: PALM-TRAN - Palm-Tran) (Previous MASS TRANSIT Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

2. Prior issuance of the first Building Permit, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran. (BLDGPM: ENGINEERING - Monitoring) (Previous MASS TRANSIT Condition 2 of Resolution R-2006-1196, Control No.2005-00593)



## **SIGNS**

1. Freestanding sign fronting on Southern Boulevard shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - ten (10) feet;
- b. maximum sign face area per side - eighty (80) square feet;
- c. maximum number of signs - one (1);
- d. style - monument style only;
- e. location - within one hundred-fifty (150) feet of the access point measured from edge of pavement;
- f. Signs shall be limited to tenants only. (Previous SIGNS Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

2. Ground Mounted Freestanding signs fronting on Wallis Road shall be limited as follows:

- a. maximum sign height - eight (8) feet, measured from finished grade to highest point;
- b. maximum sign face area per side - eighty (80) square feet;
- c. maximum number of signs - two (2); and,
- d. style - monument style only. (BLDGPMT: ZONING - Zoning)

## **SITE DESIGN**

1. Prior to Final DRO approval, the Applicant shall revise the Site Plan to:

- a. remove the Type 2 Variance chart;
- b. remove the Type 2 Waiver Chart; and
- c. revise the buffer along the north portion of the east property line to reflect an 8-foot compatible buffer. (DRO: ZONING – Zoning)

## **UTILITIES**

1. If any relocations/modifications to the County's existing facilities are required that are a direct or indirect result of the development, the developer shall pay for the complete design and construction costs associated with these relocations/modifications. (ONGOING: PBC WATER UTILITIES - PBC Water Utilities) (Previous UTILITIES Condition 1 of Resolution R-2006-1196, Control No.2005-00593)

## **COMPLIANCE**

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

## **DISCLOSURE**

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.



## CONDITIONS OF APPROVAL

### EXHIBIT C-2 Class A Conditional Use

#### ALL PETITIONS

1. The approved Preliminary Site Plan is dated October 13, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

#### COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

#### DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

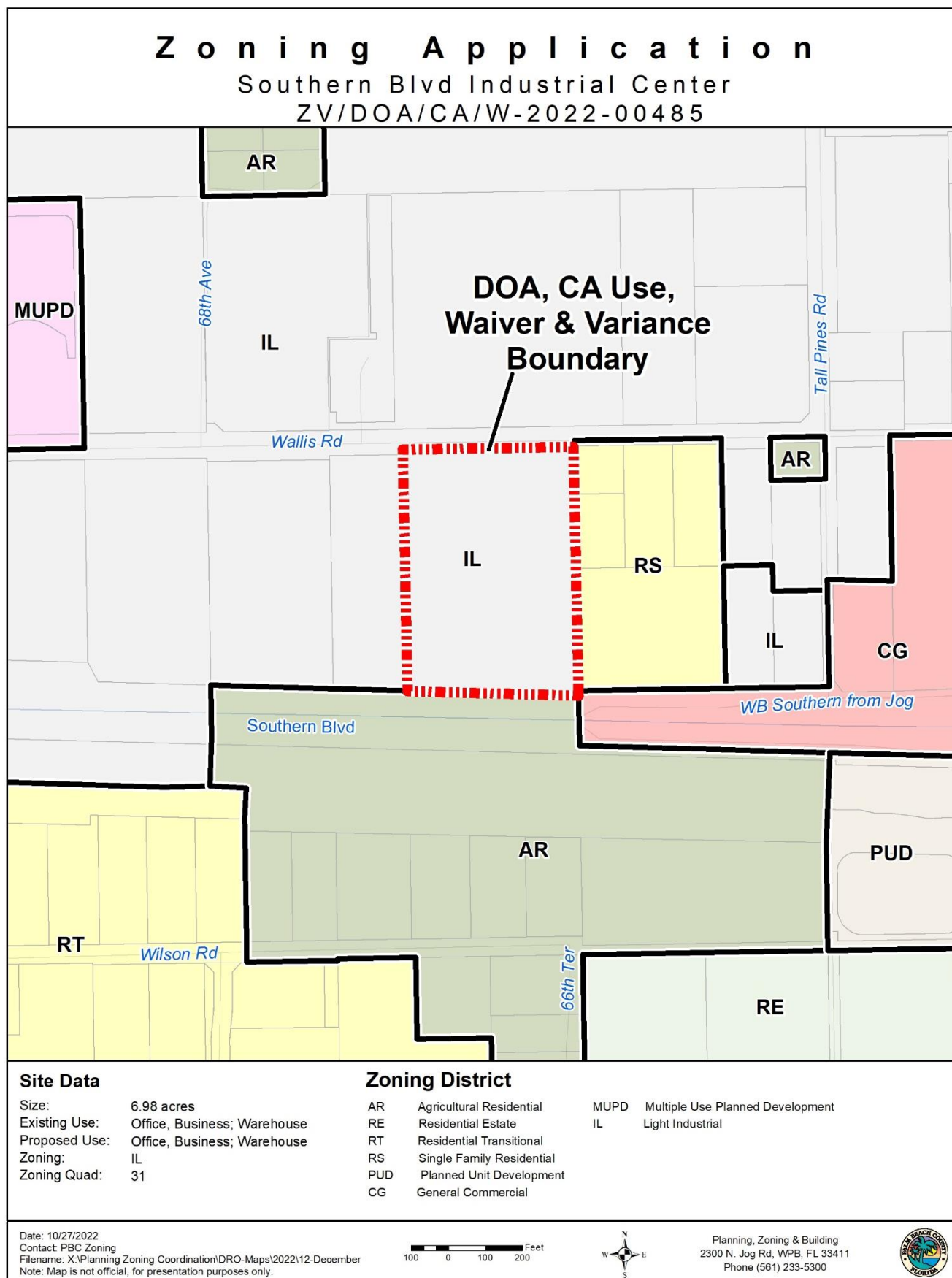


### Figure 1 - Land Use Map





### Figure 2 - Zoning Map







**SCHMID-NICHOLS**  
LANDSCAPE ARCHITECTURE  
AND URBAN PLANNING

1351 N. Flagler Dr., Ste. 102  
West Palm Beach, FL 33401  
Phone: 561.684.6141  
Fax: 561.684.6142  
Website: www.schmid-nichols.com  
License No.: LC26000232

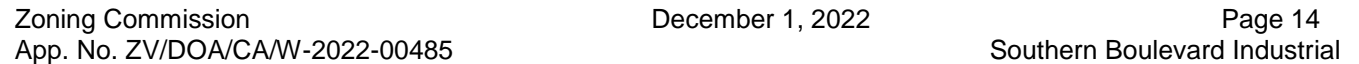
**Southern Blvd.**  
**Industrial Center.**

DATE: 03/16/22  
SCALE: 1" = 40'-0"  
DESIGN BY: JLN  
CHECKED BY: JLN  
FILE NO. 259.10  
SHEET NO. 2-60

REVISIONS / SUBMISSIONS  
06/28/22 Residential  
09/29/22 Residential  
09/29/22 Residential  
10/12/22 Mixed Residential

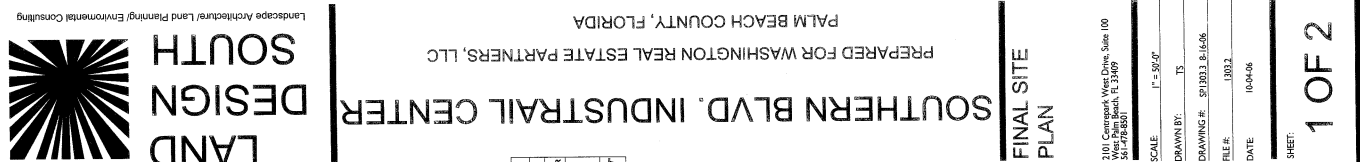
PRELIMINARY  
SITE  
PLAN

**PSP**



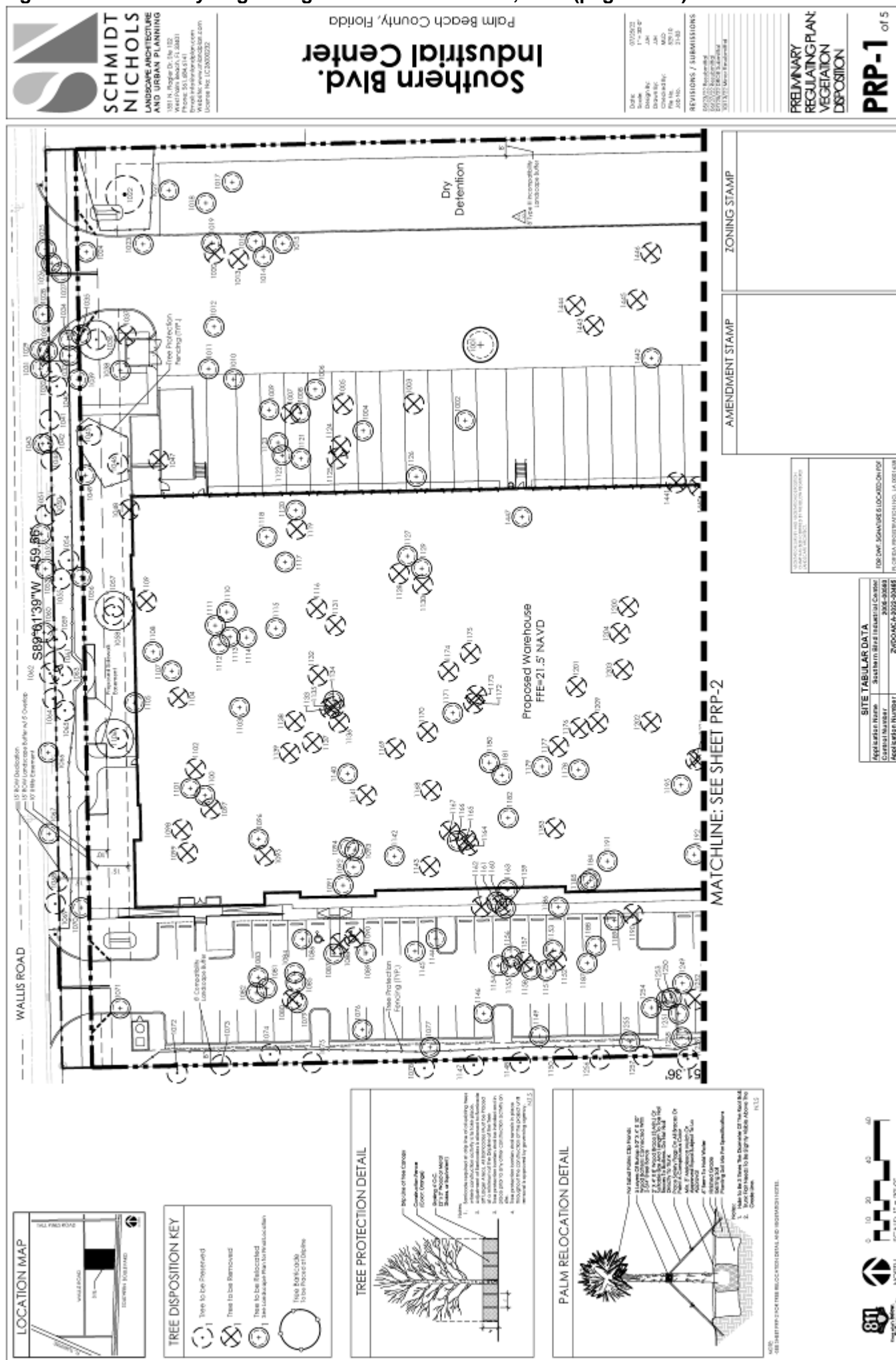


Zoning Commission  
App. No. ZV/DOA/CAW-2022-00485



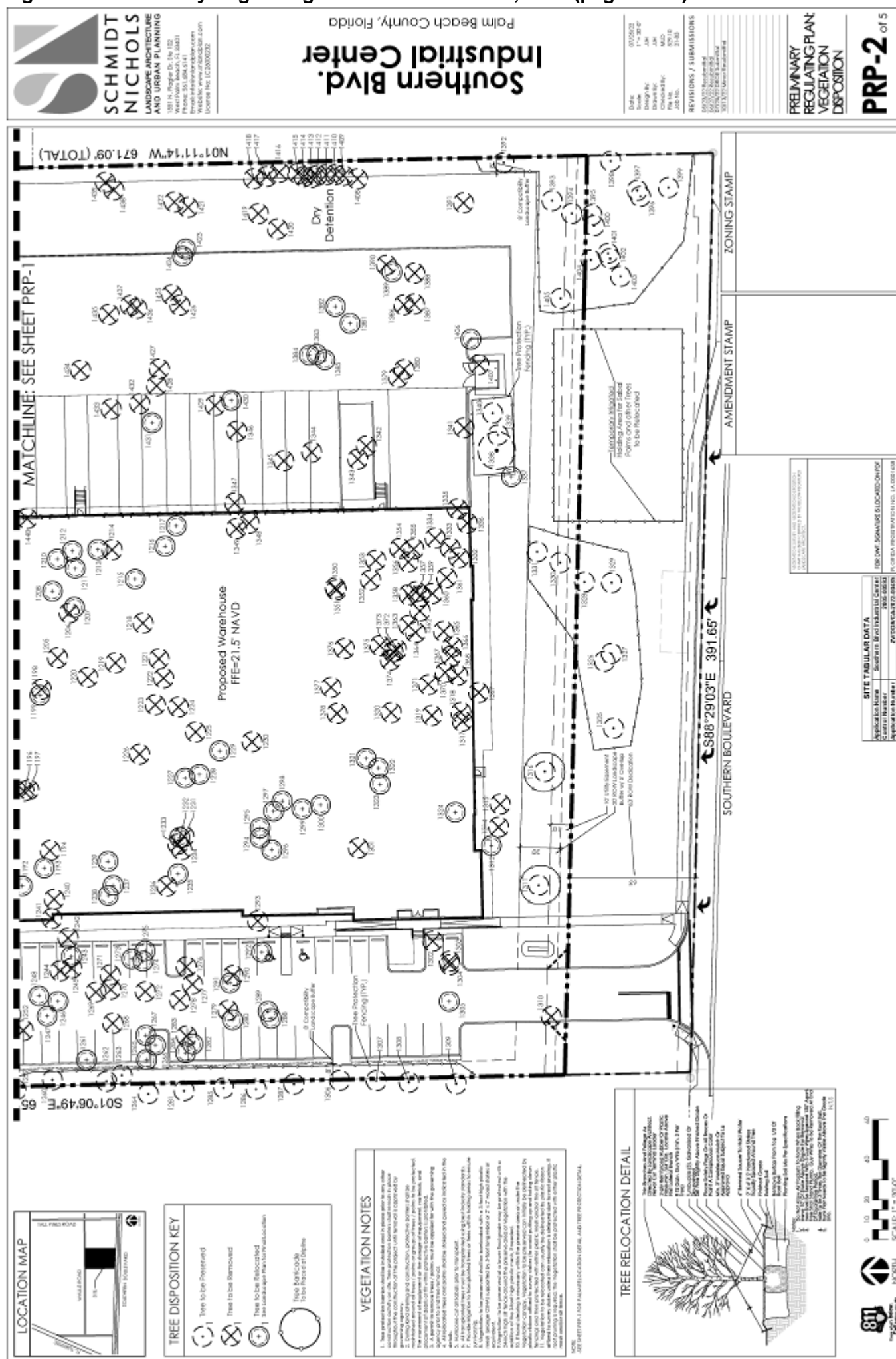


**Figure 5 – Preliminary Regulating Plan dated October 1, 2022 (page 1 of 5)**





**Figure 5 – Preliminary Regulating Plan dated October 1, 2022 (page 2 of 5)**





**Figure 5 – Preliminary Regulating Plan dated October 1, 2022 (page 3 of 5)**



**SCHMIDT  
NICHOLS**  
LANDSCAPE ARCHITECTURE  
AND URBAN PLANNING

1001 W. Regal Dr., Ste. 100  
West Palm Beach, FL 33411  
Phone: 561.854.1141  
Fax: 561.854.1142  
Website: www.schmidtnichols.com  
License No. 123456789

**Southern Blvd.  
Industrial Center.**

Palm Beach County, Florida

DATE	07/18/2023
SCALE	N.T.S.
DESIGN BY	JAN
DESIGNED BY	MED
FILE NO.	21-00

REVISIONS / SUBMITTALS

DATE	07/18/2023	REVISION
07/18/2023	01	Revised
07/18/2023	02	Final
07/18/2023	03	Final

**PRELIMINARY  
REGULATING PLAN:  
VEGETATION  
DISPOSITION**

**PRP-3** of 5

[illegible][illegible][illegible]



**Figure 5 – Preliminary Regulating Plan dated October 1, 2022 (page 4 of 5)**

[illegible][illegible]



**Figure 5 – Preliminary Regulating Plan dated October 1, 2022 (page 5 of 5)**

[illegible]



**Figure 6 – Approved Final Regulating Plan dated October 11, 2006**

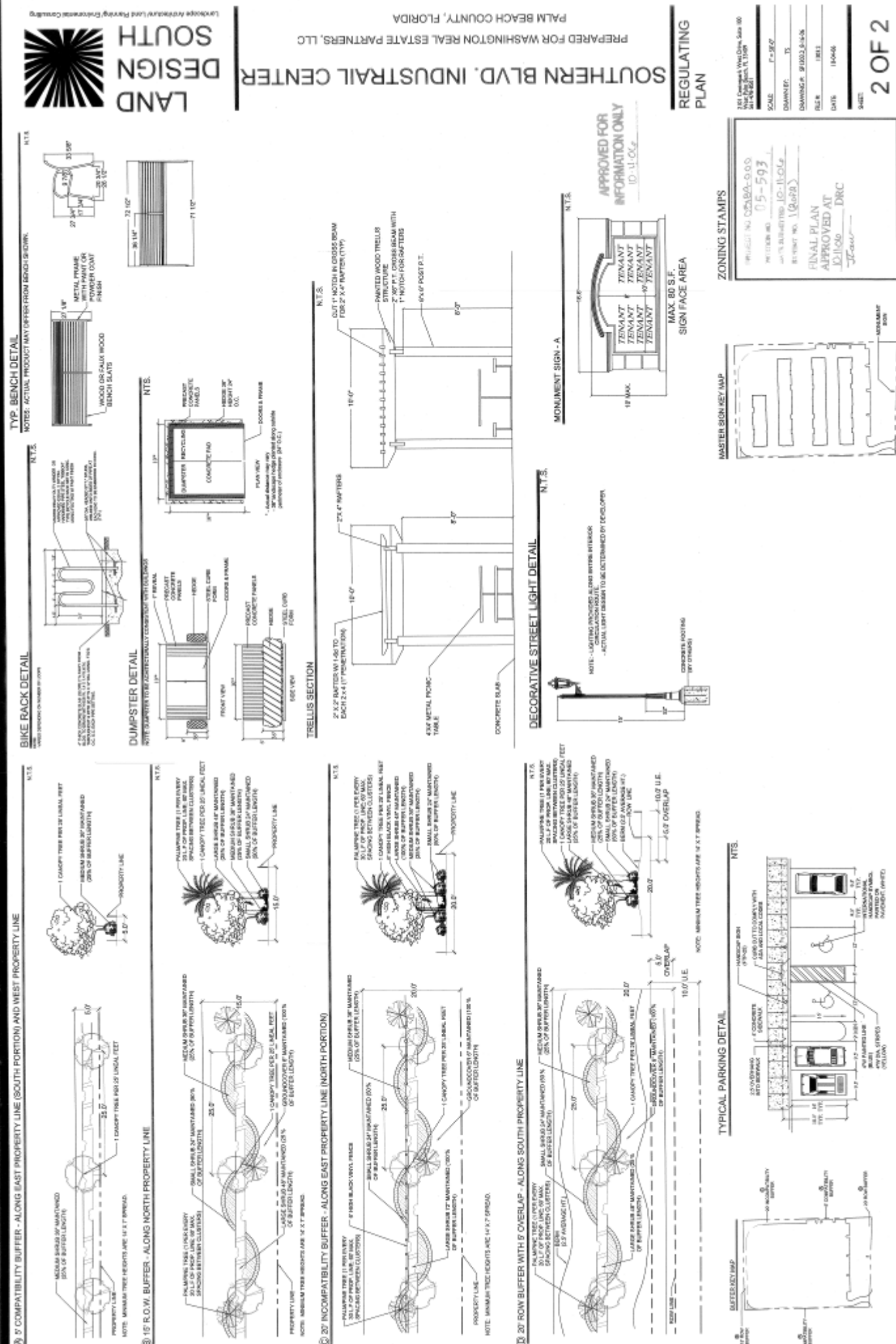








Figure 8– Preliminary Architectural Elevations dated July 25, 2022

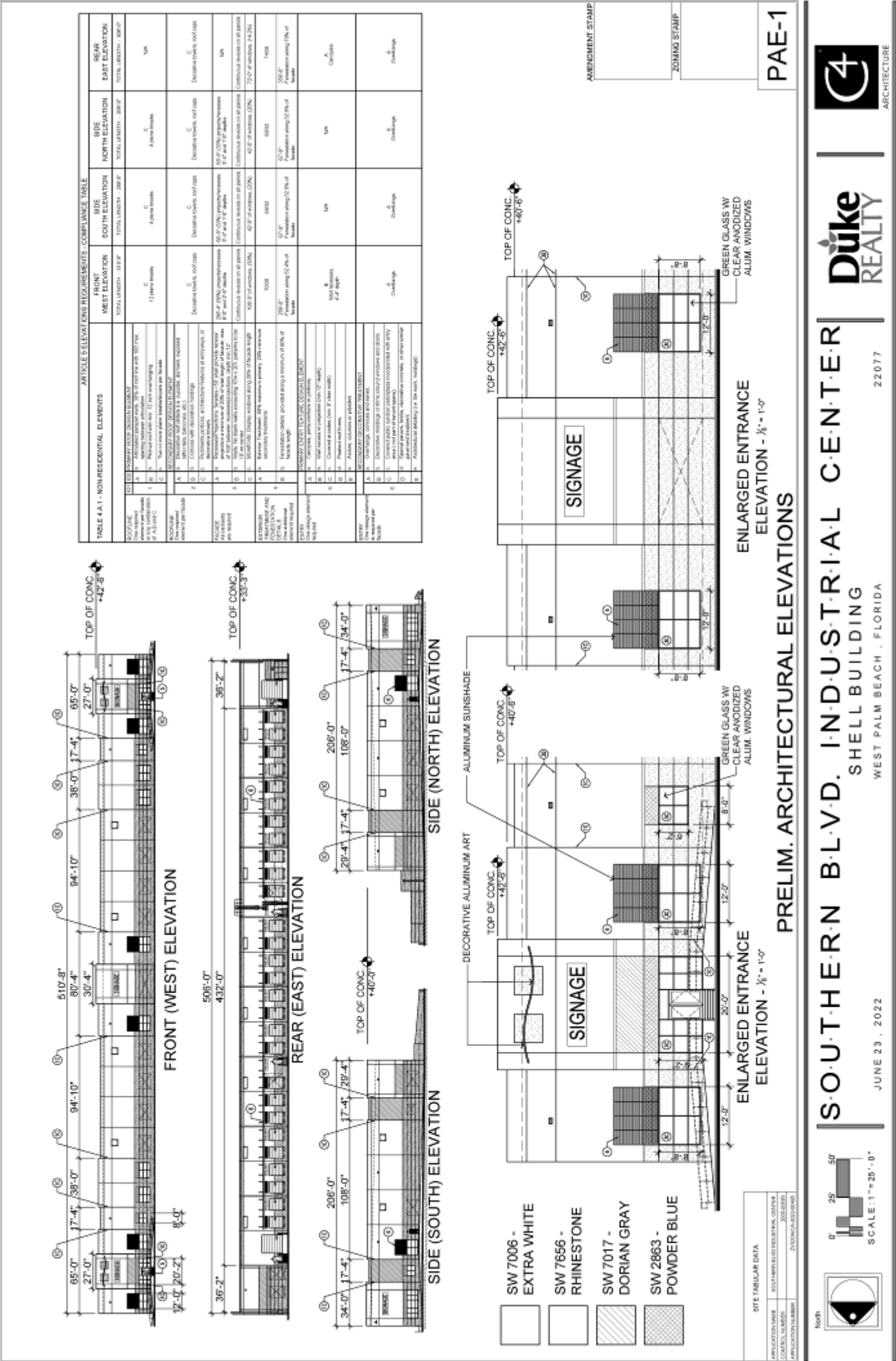
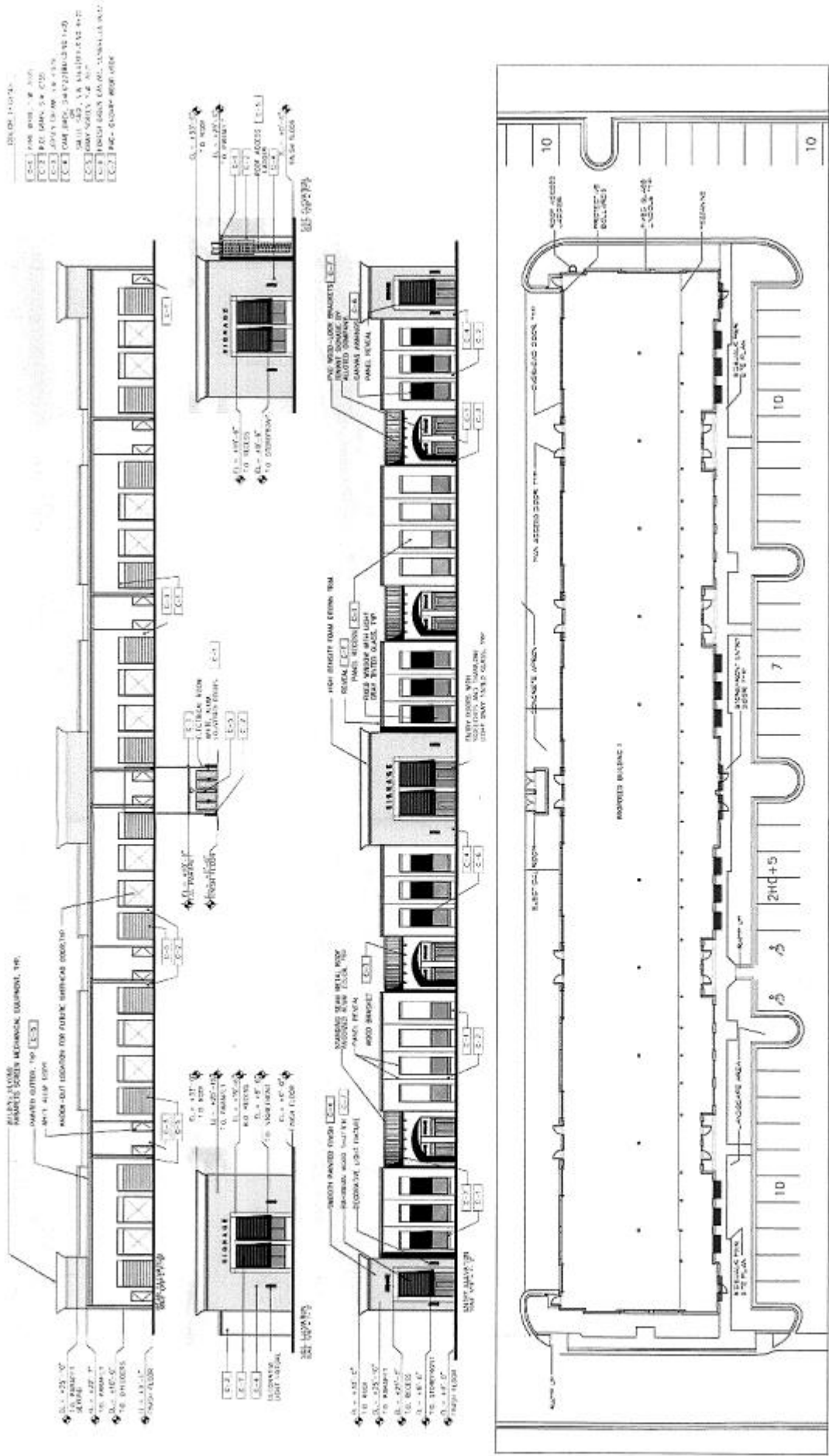




Figure 9 – Final Architectural Elevations dated August 16, 2006 (page 1 of 2)



SOUTHERN BLVD.

PALM BEACH COUNTY, FLORIDA

PLC Retzsch & Lanio

WASHINGTON

8.02.06

PROJECT # 05074.00

1

FINAL D.R.O. SUBMITTAL  
BUILDING TYPE I  
FLOOR PLAN AND ELEVATIONS  
COLOR SCHEME 1



Figure 9 – Preliminary Architectural Elevations dated August 16, 2006 (page 2 of 2)

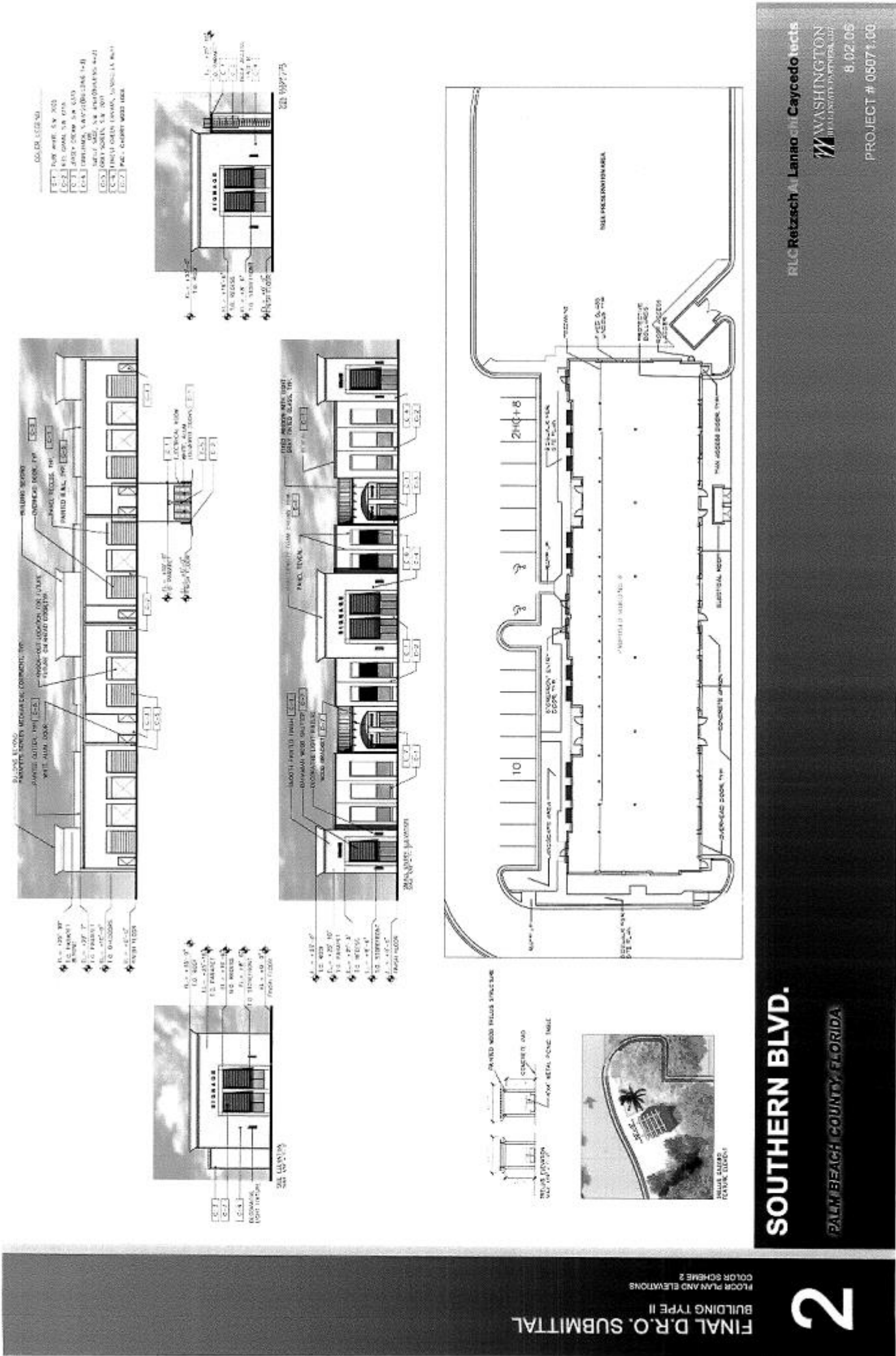




Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Richard Swindasz, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ MGR \_\_\_\_\_ [position - e.g., president, partner, trustee] of Duke Realty Land, LLC [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 2400 N Commerce Parkway, Suite 405, Weston, FL 33125  
\_\_\_\_\_  
\_\_\_\_\_
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.



7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

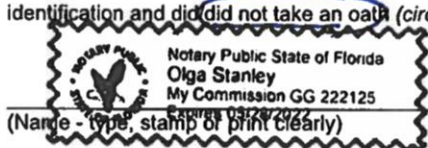
FURTHER AFFIANT SAYETH NAUGHT.

Richard Swindasz  
 Richard Swindasz, Affiant  
 (Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of March, 20 22 by Richard Swindasz (name of person acknowledging). He is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification and did not take an oath (circle correct response).



[Signature]  
 (Signature)

My Commission Expires on: 05/28/22 NOTARY'S SEAL OR STAMP



**EXHIBIT "A"****PROPERTY****PARCEL 1:**

TRACT 68, BLOCK 5, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LESS AND EXCEPT THEREFROM THE WEST 200 FEET OF TRACT 68 AND LESS THAT PROPERTY CONVEYED BY WARRANTY DEED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED JUNE 14, 2002 IN OFFICIAL RECORDS BOOK 13805, AT PAGE 1832 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**PARCEL 2:**

TRACT 73, BLOCK 5, PALM BEACH FARMS COMPANY PLAT NO 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80; LESS AND EXCEPT THEREFROM THAT PART OF THE PROPERTY CONVEYED BY WARRANTY DEED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED JUNE 14, 2002 IN OFFICIAL RECORDS BOOK 13805, AT PAGE 1832 AND THAT PART OF THE PROPERTY LYING WITHIN THE RIGHT OF WAY OF STATE ROAD 80.

**ALSO DESCRIBED AS FOLLOWS:**

A PORTION OF TRACTS 68 AND 73, BLOCK 5, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 68, RUN THEN SOUTH 01 DEGREES 06 MINUTES 49 SECONDS EAST ALONG THE WEST LINE OF SAID TRACT 68 A DISTANCE OF 659.68 FEET TO THE NORTHWEST CORNER OF SAID TRACT 73; THENCE NORTH 89 DEGREES 01 MINUTES 39 SECONDS EAST ALONG THE NORTH LINE OF SAID TRACT 73 A DISTANCE OF 200.00 FEET; THENCE NORTH 01 DEGREES 06 MINUTES 49 SECONDS WEST A DISTANCE OF 8.32 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. RUN THENCE SOUTH 88 DEGREES 29 MINUTES 03 SECONDS EAST A DISTANCE OF 391.65 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 8,682.40 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 27 MINUTES 25 SECONDS A DISTANCE OF 69.24 FEET TO A POINT ON THE EAST LINE OF SAID TRACT 73; THENCE NORTH 01 DEGREES 11 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 11.41 FEET TO THE NORTHEAST CORNER OF SAID TRACT 73; THENCE CONTINUE NORTH 01 DEGREES 11 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID TRACT 68, A DISTANCE OF 659.68 FEET; THENCE SOUTH 89 DEGREES 01 MINUTES 39 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT 68 A DISTANCE OF 459.56 FEET; THENCE SOUTH 01 DEGREES 06 MINUTES 49 SECONDS EAST ALONG THE EAST LINE OF WEST 200 FEET OF SAID TRACT 68, A DISTANCE OF 651.36 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 304,207 SQUARE FEET (6.9836 ACRES), MORE OR LESS



EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address	
Duke Realty Land, LLC (Owner)		100% Interest in Owner
Duke Realty Limited Partnership	8711 River Crossing Boulevard, Indianapolis, IN 46240	95% interest in Duke Realty Land, LLC
Duke Acquisition, Inc.	8711 River Crossing Boulevard, Indianapolis, IN 46240	5% interest in Duke Realty Land, LLC
Duke Acquisition, Inc.	8711 River Crossing Boulevard, Indianapolis, IN 46240	34.93% interest in Duke Realty Limited Partnership
Duke Realty Corporation (publicly traded entity)	8711 River Crossing Boulevard, Indianapolis, IN 46240	64.09% interest in Duke Realty Limited Partnership
Duke Realty Corporation (publicly traded entity)	8711 River Crossing Boulevard, Indianapolis, IN 46240	100% interest in Duke Acquisition, Inc.



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